



Department of Planning and Zoning

149 Church Street, City Hall

Burlington, VT 05401-8415

Phone: (802) 865-7188

Fax: (802) 865-7195

www.burlingtonvt.gov/pz

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APR 11 2016

DEPARTMENT OF
PLANNING & ZONING

Appeal of an Administrative Decision Request

Use this form to appeal any Administrative Decision or Notice of Violation - See Sec. 12.2.2 of the Zoning Ordinance.

SUBJECT LOCATION ADDRESS: 41 So Willard St

Subject Property Owner: Soon K Kwon

Appellant: Soon Kwon

Agent/Representative: Self

Mailing Address: P.O. Box 9492,

City, St, Zip: South Burlington, VT 05407-9492

Day Phone: (802) 578-0457 Email: Soon K Kwon@gmail.com

Appellant Signature: [Signature] Date: 4/11/2016

In order for your request to be considered complete, **ALL** of the following information **must** be provided, as applicable:

☒ The Appeal fee of \$250;

☐ Description of the decision under appeal;

☐ Description of the property subject to the appeal;

☐ Reference to the regulatory provisions applicable to the appeal;

☐ Relief requested by the appellant;

☐ Alleged grounds why such requested relief is believed proper under the circumstances.

Office Use Only:

Check No. 3131 Amount Paid 850 Zoning Permit # 16-1086 AP

RH 4 1897 11431 2V 312280

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APR 11 2016

Development Review Board
Dept. of Planning and Zoning
City Hall
149 Church Street
Burlington, VT 05401

DEPARTMENT OF
PLANNING & ZONING

April 8, 2016

To Whom It May Concern;

This letter is to appeal the Zoning Violation alleged by Jeanne Francis, Zoning Compliance Officer, Burlington Code Enforcement Office.

Attached please find a copy of the NOV letter issued by Jeanne Francis dated March 28, 2016.

Attached also please find a copy of my letter to Jeanne Francis in response to her 3/28/2016 NOV letter.

Please let me know about the date of hearing on this NOV.

Sincerely,


Soon Kwon

cc: - Jeanne Francis, Zoning Compliance Officer, Burlington Code Enforcement Office
- Mr. Will Towle Esq.

Jeanne Francis, Zoning Compliance Officer
City of Burlington Code Enforcement Office
645A Pine Street, P.O. Box 849
Burlington, VT 05402-0849

April 3, 2016

Subject: 41 South Willard St, Alleged Zoning Violation by Jeanne Francis – 3/28/2016

To Jeanne Francis;

In response to your letter of March 28, 2016 concerning alleged zoning violation at 41 South Willard St property.

It is clear to me that you confused “parking violation” with “zoning violation”.

Attached please find a photo I took yesterday of my property referenced above. The photo is the view seeing from the sidewalk of South Willard Street. This photo clearly shows the old “No Parking” sign I posted many years ago in an attempt to prevent illegal parking in the green area next to the driveway.

I have instructed my tenants that the designated parking areas are the south west corner of the building as well as the area in front of the garage only. I also informed my tenants that parking anywhere else would be in parking violation on “green area”, which would be subject to getting parking tickets from the City according to the city ordinance. In particular, parking on the “green area” next to the driveway is subject to parking violation up to several hundred dollars in fines. Therefore, I am certain that my tenants would never park in this area.

I examined all photos attached to your letter of March 28, 2016, and did not recognize any of my tenants cars. I vaguely remember that the first photo showing a truck with VT license plate TRK 179A937 is my neighbor Mr. LeClair’s contractor’s car. I do not recognize at all the remaining three cars with parking tickets on the windshields.

About four weeks ago I called the Burlington police for help to solve this illegal parking problem. In turn, Burlington police referred my problem to the Parking Enforcement Department. Since then the Parking Enforcement is issuing parking tickets as you see on the windshields in the photos enclosed in your letter. I hope that the tickets would deter the illegal parking in the future.

Please note that in addition to the old “No Parking” sign still on the wall of my building, I posted five more new “No Parking” signs as shown in the photo I attached, in an attempt to discourage further illegal parking.

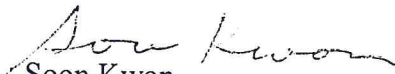
About a year ago, my next door neighbor, Mr. LeClair, brought in a truck full of crushed stones to fill some “bumpy” areas of the driveway. In unloading the stones, the truck driver spread the crushed stones over the green area as well. Before this happened, the area was green. Last summer, I hired two helpers to remove the crushed stones covering part of the green area in order to restore the green area. As you can see in my photo, they managed to clear about the third of the driveway length from the sidewalk in about 10 days and gave up due to overwhelmingly hard work.

I will apply for a zoning permit either to place about 5 boulders about 2 – 3 feet in diameter in size along the edge of the driveway or to install about 5 low profile (approximately 2 feet in height) 4 inches x 4 inches of pressure treated wood columns in order to protect this green area from further illegal parking.

By copying this letter to the Burlington Development Review Board, I am appealing your alleged zoning violation as you instructed me in your letter. Please be reminded that currently the Burlington Parking Enforcement is monitoring this green area and issuing parking violation tickets as shown in the photos enclosed in your letter of NOV dated March 28, 2016. A formal letter of appeal to the Development Review Board is forthcoming shortly.

I wish that the person who took these photos in your letter would have noticed the parking violation tickets on the windshields as well as the "No Parking" sign that I have posted many years ago on the exterior wall of my building. Also I wish that this person would have taken more appropriate action such as immediately notifying the Burlington Parking Enforcement as I have been doing. Such action of his (or hers), as is, is a clear indication that apparently this person routinely treat all property owners as criminals and such person appears to be an ex-policeman as people say. I hope that this person changes the way of thinking in general more "positive" way.

Sincerely,


Soon Kwon

Attachment: Photo of the driveway of 41 South Willard St property

cc: ✓ - Burlington Development Review Board(for appeal)
- Office of the City Major, City of Burlington
- Mr. William Ward, Director of the Burlington Code Enforcement Office
- Mr. Eugene Bergman(Burlington City Senior Assistant Attorney)
- Mr. Will Towle Esq.

